

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

GRINNELL SELECT INSURANCE
COMPANY,

Plaintiff,

v.

BRETT GLODO, JR., BRIA GLODO and
TERRY L. ERNSTING,

Defendants.

Case No. 05-cv-4178-JPG

MEMORANDUM AND ORDER

I. Jurisdiction

In light of Seventh Circuit admonitions, *see, e.g., America's Best Inns, Inc. v. Best Inns of Abilene, L.P.*, 980 F.2d 1072 (1992), the Court has undertaken a rigorous initial review of pleadings to ensure that jurisdiction has been properly pled. The Court has noted the following defect in the jurisdictional allegations of the Complaint (Doc. 1) filed by plaintiff Grinnell Select Insurance Company ("Grinnell"):

- **Failure to allege the citizenship of an individual.** A complaint asserting diversity jurisdiction must allege the citizenship of an individual defendant, not merely residence. 28 U.S.C. § 1332(a)(1); *Meyerson v. Harrah's East Chicago Casino*, 299 F.3d 616, 617 (7th Cir. 2002); *Held v. Held*, 137 F.3d 998, 1000 (7th Cir. 1998). Allegations of "residence" are jurisdictionally insufficient. *Steigleder v. McQuesten*, 198 U.S. 141 (1905). Dismissal is appropriate where parties allege residence but not citizenship. *Held*, 137 F.3d at 1000. Grinnell has alleged the residence but not the citizenship of each defendant.

The Court hereby **ORDERS** that Grinnell shall have up to and including October 7, 2005, to amend the faulty pleading to correct the jurisdictional defect. Failure to amend the faulty pleading may result in dismissal of this case for lack of subject matter jurisdiction or for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b). Amendment of the faulty

pleading to reflect an adequate basis for subject matter jurisdiction will satisfy this order.

Grinnell is directed to consult Local Rule 15.1 regarding amended pleadings and need not seek leave of Court to file such amended pleading.

II. Corporate Disclosure Statement

After reviewing Grinnell's Complaint, the Court notes that Grinnell has violated Federal Rule of Civil Procedure 7.1, which requires a non-governmental corporate party to submit a corporate disclosure statement at the time of its first appearance, pleading, petition, motion, response or other request addressed to the Court. The Court hereby **ORDERS** Grinnell to file on or before October 7, 2005, the appropriate corporate disclosure statement. Failure to comply with this order may result in dismissal of this action pursuant to Federal Rule of Civil Procedure 41(b) and the Court's inherent authority.

IT IS SO ORDERED.

DATED: September 26, 2005

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE